

VIOLENT CRIME REDUCTION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Miscellaneous

Section 52: Football-related disorder

273. *Subsection (1)* repeals section 5(2) of the Football (Disorder) Act 2000. That provision places a time limit on the provisions relating to:
- football banning orders made on complaint (section 14B of the Football Spectators Act 1989), and
 - summary police powers given to constables during control periods relating to regulated football matches (section 21 of the same Act). These include the power to prevent any individual against whom there is evidence of previous involvement in football-related violence or disorder and who is felt to pose a continuing public order risk from travelling to a regulated match overseas.
274. *Subsection (2)* introduces Schedule 3, which contains amendments to the provisions of the Football Spectators Act 1989 relating to the administration of football banning orders.
275. *Part 1* of Schedule 3 amends the provisions of the Football Spectators Act 1989 (the "1989 Act") relating to football banning orders.
276. *Paragraph 2(1)* inserts new subsections (4BA) and (4BB) into section 14A of the 1989 Act. These enable the court to remand the offender when proceedings for an order under section 14A are adjourned, and to impose bail conditions preventing the individual from leaving England and Wales before his appearance before the court, and requiring him to surrender his passport. *Paragraph 2(3)* inserts new subsections (5) and (6) into section 14B of the 1989 Act which provide for the same in relation to an adjourned section 14B hearing.
277. *Paragraph 3(1)* inserts three new subsections into section 14A of the 1989 Act which allow the prosecution to appeal against a failure by the court to impose a banning order on an individual convicted of a relevant offence. *Paragraph 3(2)* inserts new subsection (1A) into section 14D, providing a right of appeal for the applicant against the dismissal by a magistrates' court of an application for a banning order under section 14B. The appeal lies to the Crown Court.
278. *Paragraph (4)* amends section 14B to extend the scope for chief officers of police to apply for a section 14B football banning order by removing the limitation as to area of residency of the subject. It also provides a power for the Director of Public Prosecutions to apply for a section 14B order.
279. *Paragraph (5)* amends section 14E of the 1989 Act and requires the subject of a football banning order to notify the enforcing authority of specified changes to his personal circumstances.

*These notes refer to the Violent Crime Reduction Act 2006
(c.38) which received Royal Assent on 8 November 2006*

280. *Paragraph (6)* amends section 14F to extend the minimum and maximum periods of a football banning order made on complaint (section 14B) from between 2 and 3 years to between 3 and 5 years.
281. *Paragraph (7)* amends section 19 of the 1989 Act and requires the subject of a banning order to notify the enforcing authority and police of any temporary residence during a control period.
282. *Paragraph (8)* amends section 25 to provide that a notice or other document served on a subject of a banning order is deemed to be received by him unless proved otherwise.
283. *Paragraph (9)* amends the Schedule of offences that can be designated as football related for football banning order purposes to include the offence under section 4A of the Public Order Act 1986 (using threatening behaviour etc with intent to cause harassment, alarm or distress).
284. [Part 2](#) of Schedule 3 makes various amendments which are consequential on those made to the 1989 Act by Part 1.
285. *Subsection (3)* repeals sections 2 to 7 of the Football Spectators Act 1989 which though never brought into force, made provision for the introduction of a national membership scheme restricting attendance at regulated football matches.